

CONSTRUCTION INDUSTRY COUNCIL NEWSLETTER 建造業議會通訊

Issue No. 6
第六期 06/2011



CONSTRUCTION
INDUSTRY COUNCIL
建造業議會

CONTENTS

目錄

ABOUT CONSTRUCTION INDUSTRY COUNCIL 有關建造業議會

The Construction Industry Council was formally formed on 1 February 2007 in accordance with the Construction Industry Council Ordinance (Cap. 587). It has a Chairman and 24 Members representing various sectors of the industry including employers, professionals, academics, contractors, workers, independent persons and Government officials. All of them were appointed by the Secretary for Development in accordance with Section 9 of the Construction Industry Council Ordinance.

建造業議會根據《建造業議會條例》(第587章)於2007年2月1日正式成立。議會包括主席及24名成員，來自代表業內各界別的人士，包括聘用人、專業人士、學者、承建商、工人、獨立人士和政府官員。議會主席及成員均由發展局局長按《建造業議會條例》第9條委任。

ENQUIRY 查詢

Should you have any queries, please contact the CIC Secretariat:
如有任何查詢，請聯絡建造業議會秘書處：

Tel 電話 : (852) 2100 9000
Fax 傳真 : (852) 2100 9090
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for newsletter

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CIC CHAIRMAN'S MESSAGE 議會主席的話 P.03

CIC NEWS 最新消息 P.04

CIC EVENTS 議會活動 P.06

CIC Technical Seminars:
建造業議會技術研討會：

Collaborative Contracting Approach / 12 January 2011
「協作模式的承包合約」- 2011年1月12日

Safety of Lift Shaft Works (Additional Session) / 27 January 2011
「升降機槽工程安全」(加場) - 2011年1月27日

Inaugural CIC Conference / 11 March 2011
建造業議會首屆研討會 - 2011年3月11日

INDUSTRY FOCUS 業界動向 P.18

Super Grass
奇妙之竹

RECENT EVENTS OF CONSTRUCTION INDUSTRY 業界近期活動 P.21

Labour Department's "Construction Industry Safety Award Scheme 2010/2011"
Award Presentation Ceremony-cum-Fun Day / 13 March 2011
建造業安全獎勵計劃頒獎典禮暨嘉年華會 2010/2011 - 2011年3月13日

MANPOWER TRAINING AND DEVELOPMENT 人力培訓及發展 P.22

Education & Career Expo / 17-20 February 2011
教育及職業博覽 - 2011年2月17日至20日

The Construction Industry Council Training Academy Open Day / 21-22 January;
25-26 February 2011
建造業議會訓練學院開放日 - 2011年1月21日至22日; 2月25日至26日

CIC EVENTS CALENDAR 議會活動日誌 P.23

CIC CHAIRMAN'S MESSAGE 議會主席的話

P.02
P.03



The Construction Industry Council (CIC) is pleased to announce the relocation of its headquarters from Sheung Wan to Wan Chai on 11 April 2011. The move signifies an important step forward in CIC's corporate development and its drive for ever-closer collaboration with various industry stakeholders.

From a small head office in Sheung Wan which started operating in 2008 with other offices scattering over various parts of the territory, the CIC has been emphasising its role as a bridge between the Government and the industry. In pursuit of the best fulfilment of its functions, the CIC has sought to streamline its communication channels both internally and externally. With its new, well-equipped headquarters in Wan Chai, one of the busiest commercial districts in Hong Kong, the CIC can now not only enjoy better operational efficiency and effectiveness to better serve the

industry, but has also enhanced its corporate image and further strengthened its communication with external stakeholders given the geographical convenience of the office location.

Also worth mention is the Inaugural CIC Conference on 11 March 2011, one of the most notable events of the year for both the Council and the industry. It was a huge honour to have Chief Secretary for Administration and Secretary for Development to deliver the keynote speeches, as well as a panel of experts from all around the world, including Mainland China, Australia, Singapore, the United Kingdom and Hong Kong, as our guest speakers to provide us with insights as to what are the latest trends in their respective jurisdictions. The conference attracted more than 200 participants from Hong Kong and beyond, marking the first major milestone in the history of the CIC since its establishment.

Our success can only be achieved with the participation and support of the industry stakeholders, Government, Council Members and its staff. We are working together to make significant inroads into a brighter and healthier future for our construction industry here in Hong Kong.

LEE Shing-see, GBS, OBE, JP
CIC Chairman

建造業議會（議會）總辦事處自2011年4月11日起已由上環喬遷至灣仔。這次搬遷象徵了議會的發展已跨進一大步，也顯示議會致力加強與業界持份者合作的決心。

議會於上環規模細小的總辦事處，自2008年起開始運作，另有其他辦事處分設於全港不同地區。自成立以來，議會一直充當政府和業界的橋樑。為讓議會充分發揮其職能，我們致力改善對內和對外的溝通。議會新總部位於交通便利的灣仔，盡享主要商業區的地理優勢，加上完善的設備，除可提高運作效率、改善企業形象，更有助議會進一步加強與各持份者的溝通和聯繫，促進同業團結。

值得一提的是於本年3月11日舉行的「建造業議會首屆研討會」，此為業界及議會的一大年度盛事。我們很榮幸能邀得政務司司長以及發展局局長致辭及作專題演講，並有多位來自世界各地——包括國內、澳洲、新加坡、英國及本地——的專家出任演講嘉賓，分享卓見和當地的最新發展。是次研討會共吸引了200多名本地及海外參加者，為議會的發展奠下首個重要的里程碑。

議會的成功有賴業界持份者、政府、議會成員，以及各員工的參與和支持。讓我們攜手合作，共同為香港的建造業創建更美好更精彩的未來。

建造業議會主席
李承仕, GBS, OBE, JP



REMOVAL NOTICE

We have pleasure to inform you that our Headquarters were relocated effective from Monday, 11 April 2011. Details are as follows:-

- Address** : 15/F, Allied Kajima Building
138 Gloucester Road
Wanchai, Hong Kong
- Departments to be relocated** : Secretariat:-
- Council Services
 - Human Resources & Administration
 - Internal Audit
 - Marketing & Corporate Communications
 - Research
 - Training Academy
- General Line** : (852) 2100 9000
- Fax Number** : (852) 2100 9090

搬遷啓示

建造業議會總部已於 2011 年 4 月 11 日 (星期一) 遷往下列地址。相關資料如下：

- 地址** : 香港灣仔告士打道 138 號
聯合鹿島大廈 15 樓
- 相關部門** : 秘書處：
- 議會事務
 - 人力資源及政務
 - 內部審計
 - 推廣及機構傳訊
 - 研究
 - 訓練學院
- 總機號碼** : (852) 2100 9000
- 傳真號碼** : (852) 2100 9090

CIC NEWS 最新消息

P.04
P.05

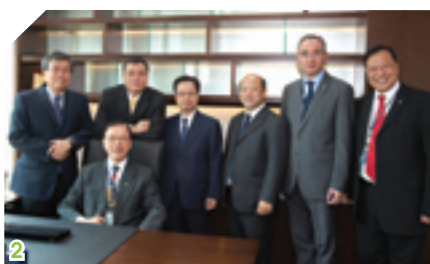
AN INTERNAL OPENING CEREMONY WAS HELD ON 11 APRIL 2011 TO CELEBRATE THE OPENING OF THE CIC HEADQUARTERS.

為慶祝議會總部開幕，議會於2011年4月11日舉行簡單開幕儀式。



1. Mr. LEE Shing-see, Chairman of CIC; Ir. Billy WONG, Chairman of CITB; Mr. Christopher TO, Executive Director of CIC; and Mr. Charles WONG, Director (Training) led the opening ceremony.

建造業議會主席李承仕先生、建造業訓練委員會主席黃永灝工程師、建造業議會執行總監陶榮先生，以及建造業議會總監（培訓）黃敦義先生主持開幕儀式。



2. Four CIC Members, namely Mr. AU Choi-kai, Mr. CHEUNG Hau-wai, Mr. HO Wai-wah and Mr. YU Kam-hung joined us to celebrate the opening of the CIC Headquarters.

四位建造業議會成員包括區載佳先生、張孝威先生、何偉華先生，以及余錦雄先生出席慶祝議會總部開幕。



3. Management toured around the new office.

管理層參觀新辦公室。

CIC EVENTS 議會活動

CIC TECHNICAL SEMINAR: COLLABORATIVE CONTRACTING APPROACH - 12 JANUARY 2011

Technical Seminar on Collaborative Contracting Approach was successfully held at Fo Tan Railway House on Wednesday, 12 January 2011, with more than 140 participants attending.

In the technical seminar, the Chairperson of the Task Force under the Committee on Procurement, experts and practitioners of collaborative contracting shared with the audience the experience in various forms of partnering and collaborative contracting approaches. It is hoped that through the technical seminar, participants could have a better understanding of the "Guidelines on Partnering" and would be able to refer to these guidelines and adopt a partnering and collaborative contracting approach in project procurement as recommended in the Guidelines. CIC would like to express sincere appreciation to MTR Corporation Limited for being the venue sponsor of this seminar.

建造業議會「協作模式的承包合約」 技術研討會 - 2011年1月12日

「協作模式的承包合約」技術研討會於2011年1月12日(星期三)，假火炭鐵路大樓圓滿舉行。超過140位業界人士參與這次研討會。

在研討會中，採購委員會轄下的專責小組主席及協作模式的承包合約專家和從業員應邀與出席者就多種伙伴合作及協作模式的合約承包分享經驗。通過技術研討會，我們期望參與者對指引有更深入的了解，並可參照指引，進行項目採購工作時採取指引建議的伙伴合作及協作模式。議會特別鳴謝香港鐵路有限公司，為是次研討會提供場地贊助。



**CIC TECHNICAL SEMINAR: SAFETY OF LIFT SHAFT WORKS (ADDITIONAL SESSION)
- 27 JANUARY 2011**

CIC conducted its first Technical Seminar titled "Safety of Lift Shaft Works" on Monday, 22 November 2010. In view of the overwhelming response from the industry, an additional session on the same topic was conducted on Thursday, 27 January 2011 to satisfy the demand of the industry.

建造業議會「升降機槽工程安全」技術研討會 (加場) - 2011年1月27日

建造業議會在2010年11月22日(星期一)舉辦了首個技術研討會，主題為「升降機槽工程安全」。鑑於業界對研討會的熱烈反應，議會已於2011年1月27日(星期四)加開一場「升降機槽工程安全」技術研討會，以滿足業界需求。



CIC EVENTS

議會活動

INAUGURAL CIC CONFERENCE - 11 MARCH 2011

Construction Industry Council and Development Bureau co-organised the Inaugural CIC Conference on Friday, 11 March 2011. Over 200 participants met at the Hong Kong Science Park to participate in this conference. The conference attracted the influential members from the Government and business community. More than 40% of the delegates are either Governmental policy makers or business leaders. The Inaugural CIC Conference provided participants with an effective communication platform to build new contacts, and gather latest intelligence.

During the one-day conference, Acting Chief Secretary for Administration, Mr. Michael SUEN, GBS, JP, and Secretary for Development, Mrs. Carrie LAM, GBS, JP delivered Keynote Speech respectively. Eminent speakers around the world shared their experience and updated knowledge of four main themes relating to the construction industry, namely:

- (i) Fostering a Safe Working Culture: Behavioural-Based Approach - Goal Setting and Incentives
- (ii) Gearing up for the Future: Contracting - The Way Forward
- (iii) Security of Payment
- (iv) Equitable and Fair Contracting

建造業議會首屆研討會 - 2011年3月11日

建造業議會聯同發展局攜手合作，於2011年3月11日（星期五）舉辦建造業議會首屆研討會。約200位與會者雲集香港科學園參與是次研討會。研討會匯聚政府及商界極具影響力的人士，超過40%的與會者為政府及商界領袖。建造業議會首屆研討會為出席者提供有效的溝通平台，擴展人脈商網，以及收集最新資訊。

在為期一天的研討會中，署理政務司司長孫明揚先生，GBS, JP, 以及發展局局長林鄭月娥女士，GBS, JP分別於研討會中發表講話。多位來自全球的知名講者亦於研討會中就四個有關建造業的主題分享其經驗和最新知識，包括：

- (i) 締造安全工作文化：行為為本模式 — 訂立目標及獎勵措施
- (ii) 結集力量，開拓未來：外判 — 建造業的未來路向
- (iii) 付款保障
- (iv) 公平合理的合約

1. Mr. Michael SUEN, GBS, JP, Acting Chief Secretary for Administration, HKSAR Government
香港特別行政區署理政務司司長孫明揚先生，GBS, JP
2. Mrs. Carrie LAM, GBS, JP, Secretary for Development, HKSAR Government
香港特別行政區發展局局長林鄭月娥女士，GBS, JP
3. Mr. LEE Shing-see, GBS, OBE, JP, Chairman, Construction Industry Council
建造業議會主席李承仕先生，GBS, OBE, JP



HIGHLIGHTS OF THE SESSION ON “FOSTERING A SAFE WORKING CULTURE: BEHAVIOURAL-BASED APPROACH - GOAL SETTING AND INCENTIVES”

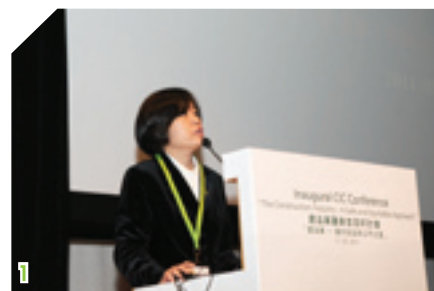
The first session was “Fostering a Safe Working Culture: Behavioural-Based Approach - Goal setting and Incentives”. Madam WU Hui-juan, Director-General of Department of Construction Safety and Quality Supervision, Ministry of Housing and Urban-Rural Development of the People’s Republic of China, was the first speaker who presented the topic of “Safety Management of Construction Works”. In the presentation, Madam WU introduced various control mechanisms, such as improvement in the legal system, development in safe production standards and guidelines, active promotion of standardisation of construction safety, reinforcement of supervision, and strengthening investigation of safety incidents, that had been deployed for the construction industry in China. With the introduction of these measures, safety performance of the construction industry in China was found to be effectively managed and improved significantly.

The next presentation was conducted by Dr. Keith HAMPSON, the Chief Executive Officer of the Sustainable Built Environment National Research Centre in Australia. Dr. HAMPSON first shared with the audience the initiatives for innovation developed in the built environment of Australia, including the audit for research and development (R&D) investment as well as the formulation of road map

有關「締造安全工作文化：行為為本模式——訂立目標及獎勵措施」環節之重點回顧

研討會第一節之主題為「締造安全工作文化：行為為本模式——訂立目標及獎勵措施」。該節第一位演講嘉賓是中華人民共和國住房和城鄉建設部工程質量安全監管司司長吳慧娟女士，其演講題目為「建築安全生產管理」。在演講中，吳司長介紹了各種監控措施，像法律制度之完善、安全生產標準與準則之發展、積極推動安全標準化建設、強化監督、加強安全事故調查等，並表示各措施均已落實於中國建造業中。隨著這些措施的引入，中國建造業的安全管理及表現均有顯著提升。

1. Madam WU Hui-juan, Director-General, Department of Construction Safety and Quality Supervision, Ministry of Housing and Urban-Rural Development, the People’s Republic of China
中華人民共和國住房和城鄉建設部工程質量安全監管司司長吳慧娟女士
2. Mr. CHEUK Wing-hing, JP, Commissioner for Labour, HKSAR Government
香港特別行政區勞工處處長卓永興先生，JP
3. Dr. Keith HAMPSON, Chief Executive Officer, Sustainable Built Environment National Research Centre, Australia
澳洲可持續建築環境國家研究中心行政總裁漢普森博士
4. (from left to right) Madam WU Hui-juan; Dr. Keith HAMPSON; Mr. CHEUNG Hau-wai, Chairman, Committee on Construction Site Safety of CIC (Moderator); Mr. LEE Shing-see, Chairman, CIC; Mr. CHEUK Wing-hing; Mr. Derek SMYTH, Representative of Hong Kong Construction Association; Mr. Philip CHAN, Representative of the Hong Kong Institute of Architects
(由左至右) 吳慧娟女士、漢普森博士、建造業議會工地安全委員會主席張孝威先生(主持)、建造業議會主席李承仕先生、卓永興先生、香港建造商會代表施萬富先生、香港建築師學會代表關柏林先生



CIC EVENTS

議會活動

for guiding and shaping R&D activities in the construction industry. After that, he highlighted some safety culture initiatives applied in Australia, such as the establishment of safety competency framework, the provision of a practical guide to safety leadership, and the introduction of some safety effectiveness indicators. Dr. HAMPSON concluded that fostering a safety culture in the construction industry must engage consistent actions in the supply chain together with the full support from senior management of all involved organisations.

The Commissioner for Labour of the Hong Kong SAR Government, Mr. CHEUK Wing-hing, JP, shared his topic "Inculcating an Occupational Safety and Health Culture in Hong Kong" in the third presentation. Mr. CHEUK highlighted that legislation and enforcement were not panacea for ensuring safety at workplace. Accident prevention would be a much more effective mechanism, on the other hand, if commitment could be observed among all parties involved in construction projects. Mr. CHEUK also explained the 'REAP' approach, meaning "Regulation, Education, Awareness and Partnership", which the Labour Department adopted for inculcating occupational safety and health culture in Hong Kong. In the end of the presentation, Mr. CHEUK highlighted that Hong Kong should beware of the safety situation in relation to major infrastructure projects and those renovation, maintenance, addition and alteration (RMAA) works in the coming years.

接下來的簡報是由澳洲可持續建築環境國家研究中心的行政總裁漢普森博士主講。漢普森博士首先分享了有關促進澳洲建造業創新發展的經驗，包括與研究和發展（R&D）投資有關的審查，以及如何制定路線圖，以指導和塑造在建築行業的R&D活動。其後，他集中介紹了一些應用於提升澳洲安全文化的措施，像建立安全能力框架、提供安全領導相關的實用指南，以及訂立安全效益指標等。漢普森博士認為，要在建造業培育安全文化，必須得到所有參與組織管理層的支持，以讓整個行業的供應鏈能作出一致的行動配合。

在第三節演講中，香港特區政府勞工處處長卓永興先生，JP 就有關「在香港灌輸職業安全及健康文化」發表了演說。卓處長表示，立法和執法並非確保工作場所安全的靈丹妙藥；反而如果參與建設項目之各方均能作出承擔，則事故預防將是一個更為有效的機制。卓處長亦介紹了勞工處所採用的「REAP」做法，意指「規管(R)、教育(E)、意識(A)以及



1. Mr. Gordon MASTERTON, OBE, Chairman, Construction Industry Council (United Kingdom)
英國建造業議會主席 Gordon MASTERTON 先生, OBE
2. Mr. Martin DUNN, General Manager (Procurement & Contracts), MTR Corporation Limited
香港鐵路有限公司總經理（採購及合約）鄧萬天先生
3. (from left to right) Mr. Gordon MASTERTON; Mr. Martin DUNN; Ir. WAI Chi-sing, Permanent Secretary for Development (Works), HKSAR Government, Mr. CHEW Tai-chong, Chairman, Committee on Procurement of CIC (Moderator); Mr. Otto POON, Representative of Hong Kong Federation of Electrical and Mechanical Contractors Association; Mr. WONG Bay, Representative of the Hong Kong Institute of Surveyors
(由左至右) Gordon MASTERTON 先生、鄧萬天先生、香港特別行政區發展局常任秘書長（工務）韋志成工程師、建造業議會採購委員會主席周大滄先生（主持）、香港機電工程商聯會代表潘樂陶先生、香港測量師學會代表黃比先生

After the three presentations, the Chairman of the Committee on Construction Site Safety, Mr. CHEUNG Hau-wai, took the lead in facilitating a panel discussion on the issue of site safety development. Apart from the three presenters, Mr. Derek SMYTH of Gammon Construction Limited and Mr. KWAN Pak-lam, BBS, JP of the Hong Kong Institute of Architects (HKIA) also joined the panel discussion. Fruitful discussions had been carried out between the floor and the panel. By the end of the session, a consensus had been successfully achieved which all participants concurred that the fostering of a safety culture in the construction industry demanded the commitment and dedication from all practitioners, including the top management as well as the frontline staff.

SUMMARY OF THE SESSIONS ON "SECURITY OF PAYMENT" & "EQUITABLE AND FAIR CONTRACTING"

Payment in full and on time along the construction supply chain has been the objective of Hong Kong's construction industry. Industry practitioners should be encouraged to maintain and uphold high standards of conduct and practice and thereby enhance professional status and image. Being identified as one of the most complex and controversial issues in the construction industry, this is typically labelled as "security of payment".

The structure of the construction industry is a multi-tiered hierarchy of

夥伴關係(P)」，藉此灌輸職業安全及健康文化於香港。在總結時，卓處長強調，在未來數年，香港應留意有關重大基建項目，以及維修、保養、改建及加建工程之安全情況。

在簡報過後，工地安全委員會主席張孝威先生帶領討論小組成員探討工地安全發展之課題。除了先前三位講者外，金門建築有限公司代表施萬富先生，以及香港建築師學會代表關柏林先生亦參與了討論。小組及與會者進行了具建設性之交流，並在總結環節時，一致地認為要在建造業建立安全文化，必須得到所有從業人員（包括管理階層以及前線員工）的致力承擔。

「付款保障」與「公平合理的合約」環節摘錄

在建造供應鏈中，準時及悉數付款一直是香港建造業的目標。業界從業員應獲

1. Mr. Frank POON, Solicitor General, Department of Justice, HKSAR Government
香港特別行政區政府律政司法律政策專員潘英光先生
2. Ir. Joseph CHOI, Representative of the Hong Kong Institution of Engineers
香港工程師學會代表蔡健鴻工程師
3. Mr. William TAN, Director, Business Development Division, Building and Construction Authority, Singapore
新加坡建設局業務拓展部總監William TAN 先生
4. (from left to right) Mr. Frank POON; Ir. Joseph CHOI; Mr. Mike WONG, JP, Chairman, Committee on Subcontracting of CIC (Moderator); Mr. William TAN; Mr. Sunny YEUNG, Representative of the Real Estate Developers Association of Hong Kong; Mr. Christopher TO, Executive Director of CIC
(由左至右) 潘英光先生、蔡健鴻工程師、建造業議會工程分判委員會主席黃植榮先生，JP（主持）、William TAN 先生、香港地產建設商會代表楊光先生、建造業議會執行總監陶榮先生



CIC EVENTS

議會活動

employers, consultants, contractors, sub-contractors and suppliers, with cascading payment obligations. The industry has for long been expressing considerable concern on maintaining timely payments. Any inability to assure payments occurred at any level in the hierarchy may result in a chain effect of non-payments in the downstream parties of the construction supply chain. Ensuring the continual flow of payments along the construction supply chain is therefore a critical mission to achieve.

“Security of Payment” is another issue highlighted in the Conference. Three top-notch speakers were invited from Hong Kong and overseas to share their views and insights with local practitioners. Mr. Frank POON, Solicitor General, Department of Justice of the Hong Kong SAR Government elaborated the reform of arbitration law - Arbitration Ordinance (Chapter 609), which has come into force since 1 June 2011. There will be no more distinction between the domestic and international arbitrations but become a unitary regime based on the UNCITRAL Model Law, with some modifications and supplements tailored to suit the specific features of the jurisdiction. Some features applicable to domestic arbitration only are retained as ‘opt-in’ provisions which are set out in Schedule 2 of the Arbitration Ordinance. Another feature of the new legislation likely to prove attractive to many parties is the inclusion of express provisions in relation to confidentiality. The

鼓勵保持及恪守高水平的操守及實務標準，從而提升專業地位及形象。這是建造業最複雜及具爭議性的事項之一，一般稱為「付款保障」。

建造業的架構屬多層級，包括聘用人、顧問、承建商、分包商及供應商，付款責任逐級減少。業界就如何維持準時付款表達相當程度的關注。如任何一個層級未能付款，對建造供應鏈下游人士被拖欠款項事宜會造成連鎖效應。確保建造供應鏈持續付款，是一項重要的工作。

「付款保障」是研討會提出的議題之一。三名來自香港及海外的傑出講者應邀與本地從業員分享意見及看法。香港特區政府律政司法律政策專員潘英光先生闡述仲裁法的改革—《仲裁條例》（第609章），生效日期為2011年6月1日。本地與國際仲裁之間不再區分，但根據《貿法委示範法》成為單一的體制，並作出若干調整及補充，切合有關司法管轄區的特質。僅適用於本地仲裁的一些特質獲保留為「供選用」的條文，並載於《仲裁條例》附表2內。新法例的另一項特質是納入有關保密的明訂條文，很可能引起很多人士的興趣。



new Arbitration Ordinance expressly prohibits parties from disclosing any information relating to the arbitral proceedings or the award. In addition, court proceedings in support of arbitration are to be conducted in closed court as the default.

On the same subject, the second speaker Ir. Joseph CHOI shared with the audience the new dispute resolution mechanism - "The 5-in-1 Dispute Resolution Clause". It is now universally accredited that "Justice delayed is Justice denied". It is difficult for the existing justice system to cope with the ever-increasing burden of litigation. There seems to be a growing awareness that in the majority of cases court action is not the most efficient way to seek justice. An effective Dispute Resolution Mechanism has to be formulated to ease the present burden of judicial functioning.

Alternative dispute resolution, such as mediation and arbitration, is common in construction contract disputes. The concept of the adoption of adjudication, independent expert certifier and expert determination was also introduced at the conference. An important message conveyed from the presentation is to allow contracting parties choosing the most suitable means to resolve disputes quickly.

Mr. William TAN, Director of Business Development Division, Building and Construction Authority of Singapore was invited as guest speaker

新《仲裁條例》明確禁止任何人士披露仲裁程序或裁決的任何資料。此外，支持仲裁的法律程序會預設在非公開法庭進行。

第二位講者蔡健鴻工程師與參加者分享新解決爭議機制——「五合一解決爭議條文」。「還以公平延誤，又豈能言公正」是全球公認的。現行的司法制度難以應付訴訟所帶來的日益沉重的負擔。大家似乎更加意識到，在大部分個案，在法院提出訴訟並非謀求公正的最有效方法。有效的解決爭議機制必須制訂，以緩減司法職能目前的負擔。

其他解決爭議方法，例如調解或仲裁，均常見於處理建造合約爭議。審裁、獨立專家核證人及專家審決等方法亦於研討會內介紹。議題所傳遞的一項重要訊息，是讓合約各方選擇最合適的方法，從速解決爭議。



CIC EVENTS

議會活動

covering a topic relating to the “Security of Payment Act” (SOP). The SOP Act was implemented in Singapore in April 2005 to provide a more equitable operating environment in the payment chain and facilitate cash-flow by helping to expedite payment in the construction industry so as not to disrupt timely delivery of construction projects. The SOP regime is characterised by three core pillars:

- (1) statutory entitlement to payment for parties carrying out work or supplying goods or services for construction projects and “pay-when-paid” clauses are voided;
- (2) low-cost and fast dispute resolution procedure via adjudication for disputed response or non-payment; and
- (3) rights to suspend work if not paid after adjudication. Following the Act’s implementation, the overall feedback from the industry has been positive with numerous key improvements in project payments.

At the last session on “Equitable and Fair Contracting”, Dr. Andrew SIMPSON, Assistant Professor (Law), School of Accounting and Finance, the Hong Kong Polytechnic University talked about the proposed competition law and its implications for Hong Kong’s construction industry. The primary objectives of the Competition Bill are characterised by prohibiting conduct which prevents,

新加坡建設局業務拓展部總監William TAN先生應邀擔任嘉賓講者，講題為《付款保障法》。該法於2005年4月在新加坡實施，為付款鏈提供一個更公平的營商環境，促進現金流，有助加快建造業支付款項，而不妨礙建造項目準時竣工。付款保障法的體制特色為三項核心支柱：

- (1) 為建造項目進行工程或提供貨物或服務的各方具有收取款項的法定權利，而「先收款後付款」的條文無效；
- (2) 就具爭議性的回應或拖欠款項進行審裁，以低支出而快速解決爭議程序進行；以及
- (3) 如審裁後沒有付款，可有暫停工程的權利。隨著法例實施，業界的整體回應正面，在項目付款方面具有多項重大改善。

最後一個環節為「公平合理的合約」，香港理工大學會計及金融學院助理教授（法律）Andrew SIMPSON 博士講述建



restricts or distorts competition in Hong Kong. The Bill prohibits three categories of conduct. The First Conduct Rule prohibits undertakings from engaging in agreements, concerted practices or decisions with the object or effect of preventing, restricting or distorting competition in Hong Kong; the Second Conduct Rule prohibits undertakings with a substantial degree of market power from abusing that power by engaging in conduct which has the object or effect of preventing, restricting or distorting competition in Hong Kong; and the Merger Rule prohibits undertakings from directly or indirectly carrying out a merger that has, or is likely to have, the effect of substantially lessening competition in Hong Kong.

All companies involved in the construction industry should have sufficient working knowledge of the proposed competition law and take active steps within their companies to ensure compliance with the law after its enactment.

議的競爭法，以及該法對香港建造業的影響。《競爭條例草案》的主要目標，是對妨礙、限制或扭曲在香港競爭的行為予以禁止。條例草案禁止三類行為。第一行為守則禁止業務實體作出協議、經協調做法或決定，以至有妨礙、限制或扭曲在香港的競爭的目的或效果。第二行為守則禁止具有相當程度市場權勢的業務實體濫用有關權勢，作出妨礙、限制或扭曲在香港競爭的目的或效果的行為，而合併守則禁止業務實體直接或間接進行具有或相當可能具有嚴重削弱競爭效果的合併。

建造業相關的所有公司應對建議的競爭法具備充足的認識，並在公司內部採取積極措施，確保法例實施後符合法律規定。



1. Dr. Andrew SIMPSON, Assistant Professor (Law), School of Accounting and Finance, the Hong Kong Polytechnic University
香港理工大學會計及金融學院助理教授（法律）
Andrew SIMPSON博士
2. (from left to right) Dr. Andrew SIMPSON; Mr. Mike WONG, Chairman of Committee on Subcontracting of CIC; Mr. LEE Shing-see, Chairman of CIC; Ir. Conrad WONG, JP, Representative of Hong Kong Construction Association; Mr. Sunny YEUNG, Representative of the Real Estate Developers Association of Hong Kong
(由左至右) Andrew SIMPSON 博士、建造業議會工程分判委員會主席黃植榮先生、建造業議會主席李承仕先生、香港建造商會代表黃天祥工程師，JP、香港地產建設商會代表楊光先生

CIC EVENTS

議會活動

ORGANISER
主辦機構



CO-ORGANISER
協辦機構



THE CONFERENCE WOULD NOT HAVE BEEN SUCH A SUCCESS WITHOUT GENEROSITY AND SUPPORT OF THE FOLLOWING ORGANISATIONS.

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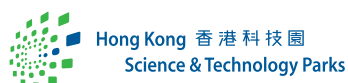
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The Hong Kong Federation
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Contractors Limited
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Mechanical Engineering Assistants
香港機電工程助理人員工會

The Hong Kong Institution of
Engineers
香港工程師學會

Hong Kong & Kowloon
Scaffolders General Merchants
Association Limited
香港棚業商會有限公司

The Australian Chamber of
Commerce - Hong Kong
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香港及澳門澳洲商會

The Hong Kong Institute of
Landscape Architects
香港園境師學會

Resident Site Staff Association
駐地盤人員協會

New Zealand Chamber of
Commerce in Hong Kong
新西蘭商會

The Hong Kong Institute of Surveyors
香港測量師學會

Hong Kong Construction Industry
Employees General Union
香港建造業總工會

The Chinese General Chamber
of Commerce
香港中華總商會

Hong Kong Construction Materials
Association Limited
香港建築物料聯會有限公司

Hong Kong Electrical Engineering
Professional Employees Association
香港電業工程專業人員協會

INDUSTRY FOCUS 業界動向

STRONG, FLEXIBLE AND ECO-FRIENDLY, BAMBOO IS A GRASS THAT STANDS TALL AS A VERSATILE MATERIAL USED IN THE CONSTRUCTION OF EVERYTHING FROM BUILDINGS TO BICYCLES.

From below they resemble matchsticks, assembled by giant hands into an imposing, intricate skeleton. Thousands upon thousands of bamboo poles, lashed together with plastic strips, reach towards the Hong Kong skyline, encasing half finished tower blocks and soaring skyscrapers in a sturdy web of scaffolding.

As visitors to the territory soon discover, this vibrant city is as reliant on bamboo today as it was a century ago. Hong Kong's famous bamboo scaffolding is inhabited by a special army of men, nicknamed "spiders", who, with little more than a hard hat and harness, regularly climb hundreds of metres above the ground, putting their trust in structures built according to ancient design principles.

"Bamboo scaffolding is well-suited to the territory's often cramped working conditions," says Conrad WONG, a member of the Construction Industry Council of Hong Kong. "It can be custom cut to fit each building and is strong, lightweight, flexible, eco-friendly and cost-effective. If used and maintained properly it's as safe as any other form of scaffolding."

竹子這種禾科植物強韌又環保，用途廣泛，不管是建造樓宇以至製造單車，都能大派用場。

從地面往上看，它們像一根根火柴，恍若由一雙巨手搭建成高聳而錯綜複雜的棚架。數以千計的竹竿以尼龍條綁紮，一支支直衝香港的天際，編織成穩固的竹棚，團團圍住興建中的高樓及摩天大樓。到訪香港的遊客很快便會發現，這個充滿活力的城市對竹材的依賴程度，一百多年來都沒有改變。

香港聞名於世的竹棚架由一支「特別部隊」——俗稱「蜘蛛俠」的搭棚工人領軍；他們頭戴安全帽、身繫安全帶，在數百米的高空來回攀爬，對這種按古代建築設計原理搭建的棚架結構充滿信心。

建造業議會成員黃天祥說：「竹棚架非常適合香港較狹窄的工作環境；它可以按每一座建築物的要求度身訂做，堅穩、輕便、具靈活性、環保，又具成本效益。如果善加利用，妥為保養，它的安全度可以媲美任何材質和形式的棚架。」



Most of the bamboo in Hong Kong is sourced from Guangxi or Jiangxi provinces. Individual poles have a general service life of less than a year depending on size and conditions of use, says Thomas TSE, Secretary General of the Hong Kong Construction Association.

"They're inspected regularly and damaged ones are discarded. All bamboo scaffolding work is carried out under the code of practice and safety regulations enforced by the Hong Kong government, which covers workers' competency and the scaffolding itself." Bamboo's user-friendly characteristics make it one of the world's most versatile materials. Hong Kong visitors who attend a performance of traditional Cantonese opera will often be seated in a theatre constructed from bamboo.

Beyond Hong Kong and the construction industry, bamboo's role in everyday life is even more diverse. "In many places this plant provides raw materials that meet most people's daily needs for housing and furnishing, for tools, hunting weapons and utensils, for fuel, and even for food," says Wesley SHAW, Head of the Palm House at London's Kew Gardens. One of the most abundant

香港使用的竹竿大多來自廣西或江西省。香港建造商會秘書長謝子華指出，每一根竹竿的壽命一般少於一年，視大小及使用情況而定。他說：「我們須定期檢查，廢棄破損的竹竿。所有竹棚架工程都必須按香港政府制定的守則及安全規例進行，工人的技術及棚架安全都受到監管。」

竹材使用方便，是全球用途最廣泛的材料之一。不少遊客在香港觀賞傳統粵劇表演時，會發現自己處身的戲棚是竹搭的。

在香港及建築業以外，竹材的應用更為生活化。英國皇家植物園棕櫚室主管 Wesley SHAW 說：「在很多地方，竹被廣泛應用到生活的各個層面，包括住屋、家具、工具、狩獵武器、食具、燃料，甚至食材。」

竹是人類所知最豐富的自然資源之一，屬禾本科的多年生植物，有1,400餘種。它亦是全球生長最快的植物之一，視品種及生長環境而定，它每天可以長高60厘米。竹類常見於東亞及東南亞，但遠至非洲、澳洲及美洲也可以找得到。



INDUSTRY FOCUS

業界動向

natural resources known to man, the 1,400-odd varieties of bamboo are perennial species that belong to the grass family and some of the fastest-growing plants in the world.

They can add more than 60 centimeters in height per day depending on the species and local conditions. While their geographical range covers Africa, Australia and the Americas, they are most prolific in East Asia and Southeast Asia.

"A famous Vietnamese proverb states 'Bamboo is my brother'," says SHAW. "Across Indochina bamboo canes are used for house frameworks, with walls of woven split bamboo attached using bamboo pegs. Hollow canes are used as gutters and pipes, and roofs are made from bamboo shingles or leaf thatch. Split bamboos are woven into flooring mats, window blinds, containers and fans."

Some ingenious uses of bamboo involve transportation – miniature bamboo trains ply Cambodia's rail network. Known as "norries" by locals, they are a vital means of moving produce and a popular form of tourist transport. In the Philippines, bamboo bicycles are a big hit as tough and affordable labour-saving devices.

Botanists at Kew Gardens study bamboos from all over the globe. "In the past bamboo was used for light-bulb filaments, record needles and pipes for oil drilling," says SHAW. "With our drive toward sustainability and the right scientific analysis and investment, who knows what we'll be using this amazing plant for in the future?" One thing's for sure, Hong Kong's spiders will weave bamboo webs for some years to come.

This article is contributed by Ir. Conrad WONG, Chairman of Committee on Environment and Technology of CIC.

SHAW說：「越南有句名諺『竹是我的兄弟』。在中南半島，竹被用來建造房屋支架；牆身用竹釘固定的劈竹織成，中空竹用來做水溝及管子，而屋頂則由竹瓦及茅草鋪成。劈開的竹子又可編成地蓆、窗簾、容器及扇子。」竹子甚至被巧妙地用來製造交通工具。在柬埔寨，由竹子製成的「迷你」火車穿梭於鐵路網絡，當地人稱之為「諾瑞」竹火車，是搬運農產品的重要交通工具，也愈來愈受到遊客的歡迎。菲律賓用當地出產的竹子造單車，因堅固耐用及價錢廉宜，又節省勞動力而大行其道。

英國皇家植物園的植物學家研究世界各地的竹子。SHAW說，「過去，竹子被用作燈絲、唱機針及鑽油管。隨着人類積極推動持續發展物料，在適當的科學研究及投資下，這種奇妙植物的未來用途難以估量。」可以肯定的是，香港的「蜘蛛俠」在未來的日子，還會為編織他們的竹網而忙碌。

本文章由建造業議會環境及技術委員會主席黃天祥工程師提供。

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RECENT EVENTS OF CONSTRUCTION INDUSTRY

業界近期活動

P.20
P.21

Labour Department held the "Construction Industry Safety Award Scheme 2010/2011" Award Presentation Ceremony-cum-Fun Day on 13 March 2011. This year marks the 12th anniversary of the Construction Industry Safety Award Scheme, which aims to raise the occupational safety and health awareness of contractors, site personnel and workers of the construction industry, as well as to honour, through an open competition, participants with good occupational safety and health performances.

To enhance safety awareness, 13 organisations continued to join hands to organise the "Construction Industry Safety Award Scheme 2010/2011" Award Presentation Ceremony-cum-Fun Day this year. The Construction Industry Council was pleased to be one of the organisers of this event, where various safety awards were presented to recognise construction workers' effort in construction safety. Taking this opportunity, CIC would like to convey our congratulations to the success of the event.

勞工處「建造業安全獎勵計劃」之頒獎典禮暨嘉年華會已於2011年3月13日舉行。「建造業安全獎勵計劃」已進入第12年，計劃目的是要促進業內人士的工作安全文化，從而提升施工時的安全水平，減少意外的發生。

為提高建造業的安全意識，十三個機構再次攜手舉辦「建造業安全獎勵計劃」頒獎典禮暨嘉年華會2010/2011。建造業議會成為是次活動的主辦機構之一，深感榮幸。當日大會頒發多個安全獎項予建造工人，以表揚他們在建造安全方面作出的努力。議會藉此機會恭賀是次活動能順利舉行。



1. Mr. Alex LEUNG, Senior Manager (Council Services) of CIC received an official souvenir from Mr. CHEUK Wing-hing, JP, Commissioner of Labour.
建造業議會高級經理（議會事務）梁偉雄工程師從勞工處處長卓永興先生，JP手上接過主辦機構紀念狀。
2. A game booth of CIC was set up to promote construction safety awareness during the Fun Day.
議會於嘉年華會中設立攤位遊戲，以推廣建造安全意識。

MANPOWER TRAINING AND DEVELOPMENT

人力培訓及發展

The Construction Industry Council Training Academy exhibited at the HKTDC Education & Career Expo 2011 at Hong Kong Convention & Exhibition Centre on 17-20 February 2011, with the aim of introducing the career opportunities in the industry and the various courses offered by the Training Academy to both students and job seekers. Over 7,000 copies of promotional materials were distributed at the Expo.

To promote its various full-time courses, the Training Academy hosted its Open Day on 21-22 January 2011 and 25-26 February 2011 at Sheung Shui Training Centre and Kowloon Bay Training Centre respectively. Programme highlights included trade demonstration sessions, course information display, career talks and game booths. The event concluded with great success in attracting around 800 visitors in total.

於2011年2月17日至20日，建造業議會訓練學院參加由香港貿易發展局主辦並假香港會議展覽中心舉行的「2011教育及職業博覽」，旨在向中學生及求職人士介紹建造業的黃金發展機會及推廣訓練學院的課程。展覽期間共派出7,000多份宣傳刊物。

建訓學院分別於2011年1月21至22日在上水訓練中心，及於2月25至26日在九龍灣中心舉行開放日，目的是透過不同的活動推廣各項全日制課程。活動內容除了有工藝示範、課程資料展覽、講座及攤位遊戲外，還加插了室內賽艇機比賽及六通達人挑戰賽。整個活動共吸引了800人蒞臨參與，場面熱鬧。



CIC EVENTS CALENDAR 議會活動日誌

P.22
P.23

EVENTS 活動	DATE 日期
TECHNICAL SEMINAR ON SAFETY OF TOWER CRANES 塔式起重機的安全措施技術研討會	JUL 2011 2011年7月
TECHNICAL SEMINAR ON HANDLING CONSTRUCTION WORK INJURY AND FATAL ACCIDENT CASES 建造工傷及致命意外個案處理研討會	SEP 2011 2011年9月
62 ND NATIONAL DAY ANNIVERSARY BANQUET FOR THE HONG KONG CONSTRUCTION INDUSTRY 香港建造界慶祝中華人民共和國成立六十二周年聯歡宴會	SEP 2011 2011年9月
TECHNICAL SEMINAR ON BUILDING INFORMATION MODELLING 建築信息模擬技術研討會	OCT 2011 2011年10月
TECHNICAL SEMINAR ON CONTRACT PRICE FLUCTUATION SYSTEM 合約價格調整制度技術研討會	NOV 2011 2011年11月
CONSTRUCTION INDUSTRY CHARITY CONCERT 建造業慈善演唱會	NOV 2011 2011年11月
CONSTRUCTION TECHNOLOGY FORUM 建造業技術論壇	DEC 2011 2011年12月
CIC ANNIVERSARY COCKTAIL RECEPTION 2012 2012 年建造業議會周年酒會	FEB 2012 2012年2月
CIC CONFERENCE 2012 2012 年建造業議會研討會	MAR 2012 2012年3月

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CIC Newsletter is published quarterly by the Construction Industry Council (CIC). It reports news of the latest development and recent updates of the construction industry in Hong Kong and is distributed to construction professionals and practitioners, as well as individuals who are interested in the area of construction.

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To drive for unity and
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精益求精

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